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**ATTORNEYS FOR  
FIRST STATE BANK, MESQUITE**

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

In re:	§	
	§	Case No. 09-38264-HDH
LIF ESMAEL MODABERRI,	§	
	§	(Chapter 13)
Debtor.	§	
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LIF ESMAEL MODABERRI, DALLAS	§	
UNLIMITED REAL ESTATE SOLUTIONS,	§	
INC., PROMPT PROFESSIONAL REAL	§	
ESTATE SERVICES, INC.,	§	
Plaintiffs,	§	Adversary Proc. No. 09-03456-HDH
	§	
v.	§	
FIRST STATE BANK, MESQUITE,	§	
	§	
Defendant.	§	

**NOTICE OF APPEARANCE AND  
REQUEST FOR SERVICE OF PAPERS**

PLEASE TAKE NOTICE that, pursuant to sections 102(1) and 342 of the Bankruptcy Code and Bankruptcy Rules 2002, 9007, and 9010(b), the undersigned appear as counsel to First State Bank, Mesquite (“FSB”), a party-in-interest in the above-captioned bankruptcy case and defendant in the above-captioned adversary proceeding (the “Adversary Proceeding”), and

request that all notices given or required to be served in the Adversary Proceeding be served upon the following persons at the following address and that these persons be added to the mailing matrix in the Bankruptcy Case. Munsch Hardt Kopf & Harr, P.C. hereby authorizes and agrees to accept service via e-mail. All such notices should be addressed as follows:

Gregory Noschese  
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**PLEASE TAKE FURTHER NOTICE** that the request set forth above includes the notices and all other papers mentioned or described in the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, and Federal Rules of Civil Procedure, without limiting the generality of the foregoing request, all orders, pleadings, motions, applications, complaints, demands, hearings, requests for hearings, petitions, answers, replies, responses, memoranda and briefs in support of any of the foregoing and any other paper or document brought before or filed with the Court with respect to the Adversary Proceeding, whether formal or informal and whether filed, transmitted or conveyed by mail, overnight delivery, messenger, telephone, facsimile, e-mail or otherwise filed or made with regard to the above-referenced case and proceedings therein.

**PLEASE TAKE FURTHER NOTICE** that this Notice of Appearance and Request for Service of Papers shall not be deemed or construed to be a waiver of the rights of FSB: (i) to have final orders in noncore matters entered only after *de novo* review by a United States District Judge; (ii) to trial by jury in any proceeding so triable in this case or in any case, controversy, or proceeding related to this case; (iii) to have the United States District Court withdraw the

reference in any matter subject to mandatory or discretionary withdrawal; (iv) to contest jurisdiction or appropriate venue in any case, controversy, or proceeding related to this case; or (v) of any other rights, claims, actions, defenses, setoffs, or recoupments to which FSB is or may be entitled, in law or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments FSB expressly reserves. This Notice of Appearance and Request for Service of Papers is not, and shall not be construed to be, a consent by FSB pursuant to 28 U.S.C. § 157(c)(2).

Dated: March 12, 2010.

**MUNSCH HARDT KOPF & HARR, P.C.**

By: /s/ *Jonathan L. Howell*  
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MESQUITE**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on the 12th day of March, 2010, he caused true and correct copies of the foregoing to be served on all parties receiving notice through the Court's ECF system and on the following parties by U.S. First Class Mail, postage prepaid:

Plaintiff's Counsel:

Michael D. Payma  
Payma, Kuhnel & Smith  
4230 LBJ Freeway, Suite 121  
Dallas, TX 75244

By: /s/ Jonathan L. Howell

Jonathan L. Howell